
DIGEST

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Lopinto

HB No. 193

Abstract: Authorizes certain law enforcement agencies to issue an administrative subpoena to obtain information regarding an Internet account used in the commission of a sex offense or in the exploitation of children.

Proposed law provides that the office of state police, the attorney general's office, a member of the Dept. of Justice Internet Crimes Against Children Task Force, or the sheriff investigating a sex offense where the victim is a minor, or the offender reasonably believes the victim is a minor, and upon reasonable cause to believe that an Internet service account or online identifier has been used in the commission of the offense, or in the exploitation or attempted exploitation of children, may issue an administrative subpoena to obtain certain information related to the Internet account or online identifier.

Proposed law provides that the administrative subpoena may be used to obtain the electronic mail address, Internet username, Internet protocol address, name of the account holder, billing and service address, telephone number, account status, method of access to the Internet, and the automatic number identification records if access is by modem.

Proposed law provides that any additional information has to be obtained through other lawful process.

Proposed law provides for the destruction of any of the information upon expiration of time limitations for prosecution.

Proposed law provides that administrative subpoenas issued pursuant to proposed law shall comply with federal laws governing records concerning an electronic communication service or remote computing service.

(Adds C.Cr.P. Art. 732.1)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Added a member of the Dept. of Justice Internet Crimes Against Children Task Force to list of law enforcement agencies authorized to use the administrative subpoena.

House Floor Amendments to the engrossed bill.

1. Provided that administrative subpoenas issued pursuant to proposed law shall comply with federal laws governing records concerning an electronic communication service or remote computing service.